

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

R.J. Reynolds Tobacco Company,

Plaintiff,

vs.

Market Basket Food Stores, Inc., *et al.*,

Defendants.

Civil Action No. 05CV253

Hon. Richard L. Voorhees

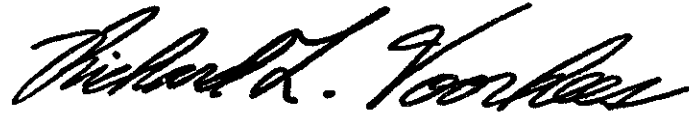
**AGREED ORDER OF DISMISSAL WITH PREJUDICE OF CLAIMS
BETWEEN PLAINTIFF/COUNTER-DEFENDANT R.J. REYNOLDS AND
DEFENDANT/COUNTER-PLAINTIFF J&L DISTRIBUTORS**

The Court considered the Joint Motion to Dismiss of Plaintiff/Counter-Defendant R.J. Reynolds Tobacco Company (hereinafter "RJRT") and Defendants/Counter-Plaintiffs Forster Qualls and J&L Distributors ("J&L") brought under Federal Rule of Civil Procedure 41(a)(2), and acknowledges that all matters among and between those parties which were or could have been asserted in the above-referenced lawsuit have been resolved by an agreement between them.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all causes of action or claims asserted by RJRT against Qualls and J&L in the above-referenced lawsuit, or which could have been asserted by RJRT against Qualls and J&L, or vice versa, are dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as between RJRT, Qualls and J&L, each party shall be responsible for their respective legal fees and court costs.

This 30th day of March, 2007

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive, flowing style with a large initial 'R'.

Richard L. Voorhees
United States District Judge